

REMARKS

Upon receipt of this response, the Examiner is respectfully requested to contact the undersigned representative of the Applicant to arrange a telephone interview concerning the inventive merits of this application.

Claims 49-64 are rejected, under 35 U.S.C. § 103, as being unpatentable over Miller '691 in view of Belec et al. '015 and Button et al. '348. The Applicant acknowledges and respectfully traverses the raised obviousness rejection in view of the above amendments and the following remarks.

The Miller '691 relates to a devise which has a design that is apparently somewhat similar to the device of the present invention but which is, in fact, completely different and requires a significant number of mechanical movements and components in order to complete each working cycle. It is respectfully submitted that the device according to Miller '691 is only adapted to operate at about 12,500 cycles per hour--as mentioned in the specification--while the device according to the presently claimed invention is designed to operate at about 30,000 cycles per hour.

The main difference in the speed is believed to be due to the fact that the envelopes, according to Miller '691, are transported with the flap in a "closed position" so that the flap must be subsequently opened before the insertion of the item(s) or document(s) in the envelope. Opening the envelopes, after their transportation from the storage place to the location where they are subsequently opened and filled, requires additional time which decreases the operational speed of the device and lowers the efficiency of the equipment. The device according to the presently claimed invention, however, does not require any suction cups and feed rollers to remove the envelopes from a stack, and thus the construction, according to the presently claimed invention, is simpler and less generally expensive. According to the presently claimed invention, the envelopes are transported in an open condition so that the envelopes can be filled, with the desired item(s) or document(s), immediately upon reaching the introduction zone without requiring an opening step or feature.

The Examiner says "it would have been obvious to modify the invention of MILLER with a flap opening means..." However, it is to be appreciated that Miller '691 more specifically relates to an envelope feeder for a printing press and not to a device for transporting, on one hand, a number of printed documents. The object of the presently claimed invention is to insert the correct item(s) or document(s) in the right envelope and this must occur during a very short period of time and at very high speed. According to Miller '691, there is no need to transport the envelopes in an open condition while, according to the presently claimed invention, it is

absolutely necessary for the envelope to be opened *before they arrival at the introduction zone*. According to the presently claimed invention, the suction-assisted drum is an excellent solution for both opening and maintaining the envelopes in an open condition as the envelopes are removed from the storage bin and conveyed to the introduction zone by the control drum 13.

In order to emphasize the above noted distinctions between the presently claimed invention and the applied art, new independent claim 65 now recites the features of a device "comprising....an envelope (15) feeding mechanism for successively feeding individual envelopes (15) from the storage bin to a control drum (13) with a periphery of the control drum (13) having at least a vacuum portion and a roller portion; an item feeding mechanism for sequentially feeding at least one item, to be inserted, toward an envelope (15) being conveyed from the storage bin toward an introduction zone by the vacuum portion of the control drum (13) with a sealing flap of the envelope (15) being maintained in an opened position to facilitate insertion of at least one item into the envelope (15); and an item inserting mechanism for inserting at least one of the items into the envelope (15) being conveyed by the control drum (13), and the item inserting mechanism comprising at least one guide (29), located adjacent the control drum (13) and in the introduction zone, for guiding the at least one item into the opened envelope (15), and at least one scraper (25) located adjacent an exterior surface of said control drum (13), for facilitating detachment of the envelope (15) from the vacuum portion of the control drum (13); and a discharge mechanism for removing the envelope (15), once at least one item is inserted into the envelope (15) conveyed by the control drum (13)". Independent claims 49 and 66 both recite similar limitations as well as additional distinguishing limitations. The dependent claims each recite further limitations which additionally distinguish the presently claimed invention from the applied art. The above claimed features are believed to clearly and patentably distinguish the presently claimed invention from all of the art of record, including the applied art.

The Applicant acknowledges that the additional references of Belec et al. '015 and Button et al. '348 may arguably relate to the features indicated by the Examiner in the official action. Nevertheless, the Applicant respectfully submits that the combination of the base reference of Miller '691 with this additional art of Belec et al. '015 and Button et al. '348 still fails to in any way teach, suggest or disclose the above distinguishing features of the presently claimed invention, especially the control drum (13) having at least a vacuum portion and a roller portion and the envelope (15) being conveyed, from the storage bin toward an introduction zone, by the vacuum portion of the control drum (13) with a sealing flap of the envelope (15) being maintained in an opened position to facilitate insertion of at least one item into the

envelope (15). As such, all of the raised rejections should be withdrawn at this time in view of the above amendments and remarks.

If any further amendment to this application is believed necessary to advance prosecution and place this case in allowable form, the Examiner is courteously solicited to contact the undersigned representative of the Applicant to discuss the same.

In view of the above amendments and remarks, it is respectfully submitted that all of the raised rejection(s) should be withdrawn at this time. If the Examiner disagrees with the Applicant's view concerning the withdrawal of the outstanding rejection(s) or applicability of the Miller '691, Belec et al. '015 and/or Button et al. '348 references, the Applicant respectfully requests the Examiner to indicate the specific passage or passages, or the drawing or drawings, which contain the necessary teaching, suggestion and/or disclosure required by case law. As such teaching, suggestion and/or disclosure is not present in the applied references, the raised rejection should be withdrawn at this time. Alternatively, if the Examiner is relying on his/her expertise in this field, the Applicant respectfully requests the Examiner to enter an affidavit substantiating the Examiner's position so that suitable contradictory evidence can be entered in this case by the Applicant.

In view of the foregoing, it is respectfully submitted that the raised rejection(s) should be withdrawn and this application is now placed in a condition for allowance. Action to that end, in the form of an early Notice of Allowance, is courteously solicited by the Applicant at this time.

The Applicant respectfully requests that any outstanding objection(s) or requirement(s), as to the form of this application, be held in abeyance until allowable subject matter is indicated for this case.

In the event that there are any fee deficiencies or additional fees are payable, please charge the same or credit any overpayment to our Deposit Account (Account No. 04-0213).

Respectfully submitted,



Michael J. Bujold, Reg. No. 32,018
Customer No. 020210
Davis Bujold & Daniels, P.L.L.C.
112 Pleasant Street
Concord, NH 03301-2931
Telephone 603-226-7490
Facsimile 603-226-7499
E-mail: patent@davisandbujold.com